

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff(s),

v.

DANIEL SHAK,

Defendant(s).

Case No. 2:22-cv-01258-GMN-NJK

ORDER

[Docket No. 38]

Pending before the Court is a renewed unopposed motion to extend the rebuttal expert deadline by seven days. Docket No. 38. The renewed motion again does not comply with Local Rule 26-3, which requires, *inter alia*, specific statements as to the discovery completed to date and the discovery remaining. Local Rule 26-3(a), (b).¹ The renewed motion also continues to fail to explain why it is that the current deadline cannot be met despite the reasonable diligence of the parties, *see* Local Rule 26-3(c); *see also Williams v. James River Grp. Inc.*, ___ F. Supp. 3d ___, 2022 WL 4181415, at *3 (D. Nev. Sept. 13, 2022), but rather simply asks for more time because an extension was provided for the initial expert reports, Docket No. 38 at 2.

Notwithstanding the above, the Court provided a “one-time courtesy” to the defense when they similarly failed to comply with Local Rule 26-3. *See* Docket No. 35 at 2-3 (emphasis in original). As a one-time courtesy to Plaintiff, the Court will also allow the extension in this instance. The unopposed motion is **GRANTED** and the deadline for rebuttal experts is **EXTENDED** to June 23, 2023. All other deadlines remain unchanged.

As articulated by the Ninth Circuit, “we expect an attorney practicing law in federal court to become familiar with and follow rules applicable to practice in this court” because “[t]he

¹ Counsel telephoned chambers after the earlier minute order issued. Counsel must refrain moving forward from contacting chambers *ex parte*. *See, e.g.*, Local Rule IA 7-2(a), (b).

1 cogs of the wheel of justice move much more smoothly when attorneys who practice in this court
2 follow the rules of practice and procedure we have carefully developed and adopted.” *Dela Rosa*
3 *v. Scottsdale Mem. Health Sys., Inc.*, 136 F.3d 1241, 1244 (9th Cir. 1998). This Court has now
4 issued multiple orders as to the need to understand and comply with the basic rules governing
5 practice in this District. *See also* Docket Nos. 35, 37. **The Court expects strict compliance with**
6 **all governing rules moving forward.**

7 IT IS SO ORDERED.

8 Dated: June 2, 2023

9
10 
11 _____
12 Nancy J. Koppe
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28